

* EDUCATION
METED

Am to 523

Relative to Education

Dec 13/77

Read. laid on
Table & ordered
printed

Thornton
and self

Dec 14/78
Printed & placed
on Guil Hill
Smith
and self

Amory
Chapman

Article IX.

Education

Section 1. A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, moral and agricultural improvement.

Section 2. A Superintendent of Public Instruction shall, at the first gubernatorial election after the adoption of this Constitution, and every four years thereafter, be elected by the qualified voters of the State. He shall receive a salary equal to that of the Secretary of State, and shall enter upon the duties of his office on the first Monday of January next after his election.

Section 3. A Superintendent of Schools for each County shall be elected

by the qualified voters thereof at the first gubernatorial election and every four years thereafter, provided that the Legislature may authorize two or more Counties to unite, and elect one Superintendent for all the Counties so uniting.

Section 14. The proceeds of all lands that have been or may be granted by the United States to this State for the support of Common Schools which may be, or may have been sold, or disposed of, and the five hundred thousand acres of land granted to the new states under an Act of Congress distributing the proceeds of the Public Lands among the several states of the Union approved A. D. ~~1842~~ one thousand eight hundred and forty two, and all estates of deceased persons who may have died without leaving a Will or heir, and also such per cent. as may be granted, or have been granted, by Congress on the sale of lands in this State shall be and

Remain a perpetual fund the interest of which, together with all the rents of ^{the} unenclosed lands, and such other means as the Legislature may provide shall be inviolably appropriated to the support of Common Schools throughout the State, subject to the provisions of Section 6 of this Article.

Section 5. The Legislature shall provide for a system of Common Schools by which a free school shall be kept up and supported in each district at least six months in every year after the first year in which a school has been established; and any school district neglecting to keep up and support such a school shall be deprived of its proportion of the interest of the public fund, during such neglect.

Section 6. The Public School system shall include Primary and Grammar schools, and such high schools, evening schools, normal schools, and technical schools as may be established by the Legislature, or by municipal

or District Authority, but the entire revenue derived from the State School fund and the State School tax shall be applied exclusively to the support of primary and Grammar Schools

Section 7. A State Board of Education consisting of two members from each Congressional District shall be elected by the qualified voters of the District at the first gubernatorial election after the adoption of this Constitution who shall hold their office for the term of four years and enter upon the duties thereof on the first Monday of January next after their election, provided that such members first so elected shall be divided into two equal Classes, Each Class consisting of one member from each District and that the first Class shall go out of office at the expiration of two years from the commencement of their term of office and at each general biennial election after each gubernatorial Election one member of each Board shall

be elected from each Congressional District so that one half thereof shall be elected biennially. The Superintendent of Public Instruction shall be, or officio, a member of such Board, and President thereof.

Section 8 The State Board of Education shall recommend a series of Text books for adoption by the local boards of Education, or by the boards of Supervisors and County Superintendents of the several Counties where such local boards do not exist but such recommendation shall not be compulsory. ~~Whenever after the adoption of a series of text books, or a series of text books, has been adopted by said Board, or any of them, such books must be continued in use for not less than four years.~~ The State Board of Education shall also have control of the Examination of teachers and the granting of Certificates. They shall possess such further powers and perform such further duties as may be prescribed by law.

Section 9. No public money shall ever be appropriated for the support of any sectarian or denominational school or any school not under the exclusive control of the officers of the Public Schools.

Section 10. The University of California shall constitute a public trust, and its organization and government shall be perpetually continued in their existing form and character subject only to such legislative control as may be necessary to insure compliance with the terms of its endowments. and of the several acts of the Legislature of this State and of the Congress of the United States donating lands or money for its support. It shall be entirely independent of all political or sectarian influences and kept free therefrom in the appointment of its Regents and in the administration of its affairs.

Approved as whole by the
Committee Dec 12th 1888
D W Merrington
Sec

Secretary

Amendment.

No. 523.

INTRODUCED BY COMMITTEE ON EDUCATION.

DECEMBER 13TH, 1878.

READ, LAID ON TABLE, AND ORDERED PRINTED.

RELATIVE TO EDUCATION.

ARTICLE IX.

EDUCATION.

Adopted

SECTION 1. A general diffusion of knowledge and intelligence being
2 essential to the preservation of the rights and liberties of the people, the
3 Legislature shall encourage, by all suitable means, the promotion of intellect-
4 ual, scientific, moral, and agricultural improvement.

Adopted

SEC. 2. A Superintendent of Public Instruction shall, at the first
2 gubernatorial election after the adoption of this Constitution, and every four
3 years thereafter, be elected by the qualified voters of the State. He shall
4 receive a salary equal to that of the Secretary of State, and shall enter upon
5 the duties of his office on the first Monday of January next after his election.

Adapted

SEC. 3. A Superintendent of Schools for each county shall be elected
2 by the qualified voters thereof at the first gubernatorial election, and every
3 four years thereafter; *provided*, that the Legislature may authorize two or
4 more counties to unite and elect one Superintendent for all the counties so
5 uniting.



Amend Section 4 of
the article Education
by striking out all
thereof after the word
"State," in the 12th line
adopted Laine

Amend Section 5 by striking
out all after the word
established in line 4 -
adopted Larkin

Add to Sect 6
In the primary
and grammar
schools no language
but the English
shall be taught,
adopted Howard

SEC. 4. The proceeds of all lands that have been or may be granted
 2 by the United States to this State for the support of common schools which
 3 may be, or may have been, sold or disposed of, and the five hundred thousand
 4 acres of land granted to the new States under an Act of Congress distribu-
 5 ting the proceeds of the public lands among the several States of the Union,
 6 approved A. D. one thousand eight hundred and forty-one, and all estates of
 7 deceased persons who may have died without leaving a will or heir, and also
 8 such per cent. as may be granted, or have been granted, by Congress on the
 9 sale of lands in this State, shall be and remain a perpetual fund, the interest
 10 of which, together with all the rents of the unsold lands, and such other
 11 means as the Legislature may provide, shall be inviolably appropriated to the
 12 support of common schools throughout the State, subject to the provisions of
 13 section six of this article.

*Lewis's
Amendment*

SEC. 5. The Legislature shall provide for a system of common schools
 2 by which a free school shall be kept up and supported in each district at least
 3 six months in every year, after the first year, in which a school has been
 4 established; and any school district neglecting to keep up and support such
 5 a school shall be deprived of its proportion of the interest of the public fund
 6 during such neglect.

Sarkis

SEC. 6. The public school system shall include primary and gram-
 2 mar schools, and such high schools, evening schools, normal schools, and
 3 technical schools, as may be established by the Legislature, or by municipal
 4 or district authority; but the entire revenue derived from the State School
 5 Fund, and the State school tax, shall be applied exclusively to the support of
 6 primary and grammar schools.

SEC. 7. A State Board of Education, consisting of two members from

Amend Section 8 of the
article on Education
by striking out all after
the words, "Sec 8," in the
first line and indenting
the following, viz,

"The local Boards of education
and the Boards of Super-
visors and County Super-
intendents of the several
Counties which may not
have County Boards of
Education shall adopt
a series of text books
for the use of the common
schools within their re-
spective jurisdictions,
the text books so adop-
ted shall continue in use
for not less than four
years; they shall also
have control of the
examination of teachers
and the granting of
teachers certificates
within their several
jurisdictions"

adapted

Same

add to section 9

nor shall any sectarian
or denominational doctrine
be taught or instruction
thereon be permitted
directly or indirectly in
any of the common
schools of this state

C S Ruggold

adapted

2 each Congressional district, shall be elected by the qualified voters of the dis-
 3 trict at the first gubernatorial election after the adoption of this Constitution,
 4 who shall hold their office for the term of four years, and enter upon the
 5 duties thereof on the first Monday of January next after their election; *pro-*
 6 *vided*, that such members first so elected shall be divided into two equal
 7 classes—each class consisting of one member from each district—and that the
 8 first class shall go out of office at the expiration of two years from the com-
 9 mencement of their term of office; and at each general biennial election, after
 10 such gubernatorial election, one member of such Board shall be elected from
 11 each Congressional district, so that one-half thereof shall be elected bien-
 12 nially. The Superintendent of Public Instruction shall be ex officio a mem-
 13 ber of such Board, and President thereof.

SEC. 8. The State Board of Education shall recommend a series of
 2 text-books for adoption by the local Boards of Education, or by the Boards of
 3 Supervisors, and County Superintendents of the several counties where such
 4 local Boards do not exist, but such recommendation shall not be compulsory.
 5 After the adoption of a series of text-books by said Boards, or any of them,
 6 such books must be continued in use for not less than four years. The State
 7 Board of Education shall also have control of the examination of teachers
 8 and the granting of certificates. They shall possess such further powers and
 9 perform such further duties as may be prescribed by law.

SEC. 9. No public money shall ever be appropriated for the support
 2 of any sectarian or denominational school, or any school not under the exclu-
 3 sive control of the officers of the public schools.

SEC. 10. The University of California shall constitute a public trust,
 2 and its organization and government shall be perpetually continued in their

*Stricken out
Caption*

*James
Substitute*

*Amended
by Angell*

Substitute for Section 10 of
the article on Education

Section 10 The University of
California is hereby declared
to be a perpetual institution
of this State organized to
administer a great public
trust and the Legislature
shall have no power to
impair or divert any gift
grant or donation made
to it from the purposes
or objects of that making
such gift grant or donation
its officers shall hold
office for such time as
the Legislature may ~~direct~~
prescribe. Instructions
shall be ^{in addition to other} ~~therein given in~~
^{matters} ~~of~~ ^{general} culture ~~relating to~~
the mechanic arts and
applied science; it shall
be entirely independent
of all political and
sectional influences

adopted

Law

Dec 13/82
Amendment No 523
Education

- 3 existing form and character, subject only to such legislative control as may
- 4 be necessary to insure compliance with the terms of its endowments, and of
- 5 the several Acts of the Legislature of this State, and of the Congress of the
- 6 United States, donating lands or money for its support. It shall be entirely
- 7 independent of all political or sectarian influences, and kept free therefrom
- 8 in the appointment of its Regents, and in the administration of its affairs.

Add after affairs in last line

Such Reports shall be made
annually to the Governor of the
State with reference to its General
management & the Custody
Receipts & Disbursements of ~~its funds~~
all its Funds

Chapman

adopted

Superseded by Lane

Add to Sec 10

The Regents or Managers of the
University shall provide for
instruction in the same, in
agriculture, the mechanic arts,
~~metallurgy~~
~~mineralogy~~, and applied sci-
ence.

adopted

Howard

superseded by Sams

Original Education

as arranged in form
of whole

Amendment. No. 523, "Secretary's copy"
Intro. by Comm. on Education Dec. 13, 1898.
Read, laid on Table, and ordered printed."

Order Engraved

Amendment.

No. 523.

INTRODUCED BY COMMITTEE ON EDUCATION.

DECEMBER 13TH, 1878.

AS AMENDED IN COMMITTEE OF THE WHOLE.

RELATIVE TO EDUCATION.

ARTICLE IX.

EDUCATION.

SECTION 1. A general diffusion of knowledge and intelligence being
2 essential to the preservation of the rights and liberties of the people, the
3 Legislature shall encourage, by all suitable means, the promotion of intellect-
4 ual, scientific, moral, and agricultural improvement.

SEC. 2. A Superintendent of Public Instruction shall, at the first
2 gubernatorial election after the adoption of this Constitution, and every four
3 years thereafter, be elected by the qualified voters of the State. He shall
4 receive a salary equal to that of the Secretary of State, and shall enter upon
5 the duties of his office on the first Monday of January next after his election.

SEC. 3. A Superintendent of Schools for each county shall be elected
2 by the qualified voters thereof at the first gubernatorial election, and every
3 four years thereafter; *provided*, that the Legislature may authorize two or
4 more counties to unite and elect one Superintendent for all the counties so
5 uniting.

SEC. 4. The proceeds of all lands that have been or may be granted
 2 by the United States to this State for the support of common schools which
 3 may be, or may have been, sold or disposed of, and the five hundred thousand
 4 acres of land granted to the new States under an Act of Congress distribu-
 5 ting the proceeds of the public lands among the several States of the Union,
 6 approved A. D. one thousand eight hundred and forty-one, and all estates of
 7 deceased persons who may have died without leaving a will or heir, and also
 8 such per cent. as may be granted, or have been granted, by Congress on the
 9 sale of lands in this State, shall be and remain a perpetual fund, the interest
 10 of which, together with all the rents of the unsold lands, and such other
 11 means as the Legislature may provide, shall be inviolably appropriated to the
 12 support of common schools throughout the State, subject to the provisions of
 13 section six of this article.

The following is section four, as amended on motion of Mr. Laine, and
 adopted:

[SEC. 4. The proceeds of all lands that have been or may be granted
 2 by the United States to this State for the support of common schools which
 3 may be, or may have been, sold or disposed of, and the five hundred thousand
 4 acres of land granted to the new States under an Act of Congress distribu-
 5 ting the proceeds of the public lands among the several States of the Union,
 6 approved A. D. one thousand eight hundred and forty-one, and all estates of
 7 deceased persons who may have died without leaving a will or heir, and also
 8 such per cent. as may be granted, or have been granted, by Congress on the
 9 sale of lands in this State, shall be and remain a perpetual fund, the interest
 10 of which, together with all the rents of the unsold lands, and such other
 11 means as the Legislature may provide, shall be inviolably appropriated to the
 12 support of common schools throughout the State.]

*concurrent
 adopted*

SEC. 5. The Legislature shall provide for a system of common schools
 2 by which a free school shall be kept up and supported in each district at least
 3 six months in every year, after the first year, in which a school has been
 4 established ; and any school district neglecting to keep up and support such
 5 a school shall be deprived of its proportion of the interest of the public fund
 6 during such neglect.

The following is section five, as amended on motion of Mr. Larkin, and
 adopted :

*Adopted
Committee*
 [SEC. 5. The Legislature shall provide for a system of common schools
 2 by which a free school shall be kept up and supported in each district at least
 3 six months in every year, after the first year, in which a school has been
 4 established.]

SEC. 6. The public school system shall include primary and grammar
 2 schools, and such high schools, evening schools, normal schools, and technical
 3 schools, as may be established by the Legislature, or by municipal or district
 4 authority ; but the entire revenue derived from the State School Fund, and
 5 the State school tax, shall be applied exclusively to the support of primary
 6 and grammar schools.

The following is section six, as amended on motion of Mr. Howard of
 Los Angeles, and adopted :

Adopted
 [SEC. 6. The public school system shall include primary and grammar
 2 schools, and such high schools, evening schools, normal schools, and technical
 3 schools, as may be established by the Legislature, or by municipal or district
 4 authority ; but the entire revenue derived from the State School Fund, and
 5 the State school tax, shall be applied exclusively to the support of primary

6 and grammar schools. In the primary and grammar schools no language
7 but the English shall be taught.]

SEC. 7. A State Board of Education, consisting of two members from
2 each Congressional district, shall be elected by the qualified voters of the dis-
3 trict at the first gubernatorial election after the adoption of this Constitution,
4 who shall hold their office for the term of four years, and enter upon the
5 duties thereof on the first Monday of January next after their election ; *pro-*
6 *vided*, that such members first so elected shall be divided into two equal
7 classes—each class consisting of one member from each district—and that the
8 first class shall go out of office at the expiration of two years from the com-
9 mencement of their term of office ; and at each general biennial election, after
10 such gubernatorial election, one member of such Board shall be elected from
11 each congressional district, so that one-half thereof shall be elected bien-
12 nially. The Superintendent of Public Instruction shall be ex officio a mem-
13 ber of such Board, and President thereof.

The above section seven, was, on motion of Mr. Caples, stricken out. *Conamended*

SEC. 8. The State Board of Education shall recommend a series of
2 text-books for adoption by the local Boards of Education, or by the Boards of
3 Supervisors, and County Superintendents of the several counties where such
4 local Boards do not exist, but such recommendation shall not be compulsory.
5 After the adoption of a series of text-books by said Boards, or any of them,
6 such books must be continued in use for not less than four years. The State
7 Board of Education shall also have control of the examination of teachers
8 and the granting of certificates. They shall possess such further powers and
9 perform such further duties as may be prescribed by law.

The following is section eight, as amended on motion of Mr. Laine, and adopted:

amended
[SEC. 8. The local Boards of Education, and the Boards of Supervisors, and County Superintendents of the several counties which may not have County Boards of Education, shall adopt a series of text-books for the use of the common schools within their respective jurisdictions; the text-books so adopted shall continue in use for not less than four years; they shall also have control of the examination of teachers, and the granting of teachers' certificates within their several jurisdictions.]

SEC. 9. No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive control of the officers of the public schools.

The following is section nine, as amended on motion of Mr. Ringgold, and adopted :

amended
[SEC. 9. No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive control of the officers of the public schools; nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State.]

SEC. 10. The University of California shall constitute a public trust, and its organization and government shall be perpetually continued in their existing form and character, subject only to such legislative control as may be necessary to insure compliance with the terms of its endowments, and of the several Acts of the Legislature of this State, and of the Congress of the United States, donating lands or money for its support. It shall be entirely

7 independent of all political or sectarian influences, and kept free therefrom
8 in the appointment of its Regents, and in the administration of its affairs.

Substitute for section ten, offered by Mr. Laine, and adopted:

[SEC. 10.] The University of California is hereby declared to be a
2 perpetual institution of this State, organized to administer a great public
3 trust, and the Legislature shall have no power to impair or divert any gift,
4 grant, or donation made to it from the purposes or objects of those making
5 such gift, grant, or donation. Its officers shall hold office for such time as
6 the Legislature may prescribe. Instruction shall be therein given, in addi-
7 tion to other matters, in agriculture, metallurgy, the mechanic arts, and
8 applied sciences. It shall be entirely independent of all political and secta-
9 rian influences.

Concurrence

EDUCATION.

As Amended in Convention, and Ordered Engrossed for a Second Reading, February 18th, 1879.

ARTICLE —.

EDUCATION.

SECTION 1. A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.

SEC. 2. A Superintendent of Public Instruction shall, at the first gubernatorial election after the adoption of this Constitution, and every four years thereafter, be elected by the qualified voters of the State. He shall receive a salary equal to that of the Secretary of State, and shall enter upon the duties of his office on the first Monday of January next after his election.

SEC. 3. A Superintendent of Schools for each county shall be elected by the qualified voters thereof at the first gubernatorial election, and every four years thereafter; *provided*, that the Legislature may authorize two or more counties to unite and elect one Superintendent for all the counties so uniting.

SEC. 4. The proceeds of all lands that have been or may be granted by the United States to this State for the support of common schools which may be, or may have been, sold or disposed of, and the five hundred thousand acres

of land granted to the new States under an Act of Congress distributing the proceeds of the public lands among the several States of the Union, approved A. D. one thousand eight hundred and forty-one, and all estates of deceased persons who may have died without leaving a will or heir, and also such per cent. as may be granted, or have been granted, by Congress on the sale of lands in this State, shall be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, and such other means as the Legislature may provide, shall be inviolably appropriated to the support of common schools throughout the State.

SEC. 5. The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year, after the first year, in which a school has been established.

SEC. 6. The public school system shall include primary and grammar schools, and such high schools, evening schools, normal schools, and technical schools, as may be established by the Legislature, or by municipal or district authority; but the entire revenue derived from the State School Fund, and the State school tax, shall be applied exclusively to the support of primary and grammar schools.

SEC. 7. The local Boards of Education, and the Boards of Supervisors, and County Superintendents of the several counties which may not have County Boards of Education, shall adopt a series of text-books for the use of the common schools within their respective jurisdictions; the text-books so adopted shall continue in use for not less than four years; they shall also have control of the examination of teachers, and the granting of teachers' certificates within their several jurisdictions.

SEC. 8. No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive

control of the officers of the public schools; nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State.

Sub for sec 9

Substitute for Sec 9

Sec. 9.

(1)

2

3

The University of California shall constitute a public trust, and its Organization and Government shall be perpetually continued in the form and character prescribed by the Organic act creating the same, passed March 23^d 1868. (and the several acts amendatory thereof) subject only to such Legislative control as may be necessary to insure compliance with the terms of its endowments, and the proper investment and security of its funds. It shall be entirely independent of all political, or sectarian influence, and kept free therefrom in the appointment of its Regents, and in the administration of its affairs.

Provided that all the moneys derived from the sale of the Public Lands donated to this state, by act of Congress, approved July 2^d 1862, (and the several acts amendatory thereof) shall be invested

as provided by said acts
of Congress; and the interest
of said moneys shall be in-
violably ~~strictly~~ appropriated to the
endowment, support and
maintenance of at least
One College of Agriculture
where the leading objects
shall be (without excluding
other scientific and classical
studies, and including military
tactics) to teach such branches
of learning, as are related to
scientific and practical
agriculture, and the mechanic
arts, in accordance with the
requirements and conditions
of said acts of Congress; and
the Legislature shall provide
that if through neglect, mis-
appropriation or any other con-
tingency, any portion of the
funds so set apart shall be
diminished or lost, the State
shall replace such portion
so lost or misappropriated,
so that the principal thereof,
shall remain forever undi-
minished

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ools of t

Amend Amendment by adding:

Amend Sec. 9 by adding at the end
of the section

Sec 10.

No Person shall be debarred
admission to any of the collegiate depart-
ments of the University on account of sex
Geo. Heile

1. "denied"

Amend amendment by adding:

Amend sec. 9 by adding at the end
of the section

Sec 10

No Person shall be ^{debarred}
admission to any of the collegiate depart-
ments of the University on account of sex
Geo. Steele

1. "denied"

Adopted

control of the officers of the public schools; nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State.

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Notes
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made to it from the purposes or objects of those making such gift, grant, or donation. Its officers shall hold office for such time as the Legislature may prescribe. Instruction shall be therein given, in addition to other matters, in agriculture, metallurgy, the mechanic arts, and applied sciences. It shall be entirely independent of all political and sectarian influences.

Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Hendon
Mr. Pennington
Mr. Quinn
Mr. Nease
Miss Gandy

Education

Feb 21/39

Reported, Correctly
Engrossed,O. H. Smith
Sec'y

February 26, 1879

Read a Second
time, adopted, and
~~ordered~~ to the Com-
mittee on Revision
and AdjustmentJ. M. Wright
Asst. Secretary.